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SUBJ: SPACE COOPERATION - VISIT OF DR. JAMES S. FLETCHER

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SUMMARY: IN ANTICIPATION OF DR. FLETCHER'S VISIT, WHICH EMBASSY WARMLY WELCOMES, PENDING US-JAPAN SPACE COOPERATION ISSUES ARE REVIEWED. PRINCIPAL IMMEDIATE ISSUES ARE MOU ON LAUNCHING SERVICES, AND JAPANESE REQUEST FOR STRAP-ON BOOSTER TECHNOLOGY. EMBASSY BELIEVES THAT CONCLUSION OF MOU DURING DR. FLETCHER'S VISIT IS STILL ACHIEVABLE, AND WOULD MAKE IMPORTANT CONTRIBUTION TO PROMOTING RELIANCE ON US LAUNCHING SERVICES. AFFIRMATIVE RESPONSE ON REQUEST FOR BOOSTER TECHNOLOGY WOULD ALSO SERVE TO INCREASE CONFIDENCE IN US READINESS TO IMPLEMENT EXISTING SPACE AGREEMENTS. ON LONGER TERM BASIS, PRINCIPAL ISSUE IS US COOPERATION WITH JAPAN'S N-ROCKET IMPROVEMENT PROGRAM. WHILE JAPAN STILL OWES ANSWER ON DETAILS OF THIS PROGRAM, VISIT CAN BE USEFUL OPPORTUNITY FOR GENERAL EXCHANGE OF VIEWS. ACTION REQUESTED: DEVELOPMENT OF US POSITION ON ISSUES RAISED IN THIS MESSAGE PRIOR TO DR. FLETCHER'S VISIT TO JAPAN. END SUMMARY.

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1. VISIT OF NASA ADMINISTRATOR FLETCHER, WHICH EMBASSY WARMLY

WELCOMES, PROVIDES APPROPRIATE OCCASION TO REVIEW SEVERAL PENDING US-JAPAN SPACE COOPERATION ISSUES. THESE ARE SUMMARIZED BELOW.

2. MEMORANDUM OF UNDERSTANDING FOR LAUNCHING SERVICES - STA AND NASDA DEFINITELY WISH TO CONCLUDE MOU DURING DR. FLETCHER'S VISIT, AND EMBASSY REGARDS SIGNATURE OF DOCUMENT AS EXCEPTIONALLY DESIRABLE ACCOMPLISHMENT OF VISIT, WHICH WILL PROVIDE CONCRETE DEMONSTRATION OF RELIABILITY OF US AS PROVIDER OF LAUNCHING SERVICES. TWO PRINCIPAL ISSUES REMAIN OUTSTANDING:

3. MOU FINANCIAL PROVISIONS - BASIC ISSUE IS INABILITY OF GOJ, WITHOUT EXPRESS STATUTORY AUTHORITY OR DEIET APPROVAL OF AGREEMENT, TO MAKE OPEN-ENDED, PRIOR COMMITMENT TO PAY ALL COSTS OF LAUNCHINGS, WHICH WE UNDERSTAND NOT FINALLY ACCOUNTED FOR UNTIL UP TO TWO YEARS AFTER LAUNCHING, ON BASIS OF ESTIMATES WHICH COULD PROVE TO BE BELOW ACTUAL COSTS. TO OVERCOME PROBLEM, STA AT INSISTENCE OF FINANCE MINISTRY HAS PROPOSED SEVERAL STEPS INCLUDING EXCHANGE OF NOTES MODIFYING ABSOLUTE CHARACTER OF COMMITMENT AND EXPEDITED COST ESTIMATES. AS NASA MAY BE AWARE, NASDA AND STA ARE IN SOME DISAGREEMENT OVER SERIOUSNESS OF THIS PROBLEM, AND NASA MAY HAVE RECEIVED IMPRESSION, BASED ON NASDA VIEWS, THAT PROBLEM SOLUBLE ON JAPANESE SIDE WITHOUT FURTHER MOVEMENT ON PART OF US. IN EMBASSY VIEW, PROBLEM IS A REAL ONE, SINCE GOJ FINANCIAL SYSTEM, LIKE THAT OF US, REQUIRES THAT ALL FUNDS BE APPROPRIATED AND PROHIBITS OBLIGATIONS IN ADVANCE OF APPROPRIATIONS. MOREOVER, STA, NOT NASDA, WHICH IS A PUBLIC CORPORATION AND NOT A GOVERNMENT AGENCY, IS THE PARTY TO THE LAUNCHING SERVICES MOU, AND NASDA'S MORE RELAXED ATTITUDE IS UNDERSTANDABLE IN VIEW ITS IMMEDIATE RESPONSIBILITY FOR MEETING SCHEDULES, COUPLED WITH LACK OF RESPONSIBILITY FOR DEFENDING LEGALITY OF AGREEMENT. EVEN IF GOJ POSITION MORE FLEXIBLE THAN WE BELIEVE IT TO BE, NO PROGRESS CAN BE MADE ON ISSUE UNTIL US RESPONDS TO JAPANESE PROPOSAL, MADE IN WASHINGTON ON OR ABOUT JULY 25, AND REPORTED IN REF B. EMBASSY HAS NOT SEEN DETAILS OF JAPANESE PROPOSAL FOR RESOLUTION OF ISSUE, BUT WOULD HOPE THAT THERE COULD BE SOME MOVEMENT ON US SIDE TO HELP ACCOMM- DATE THIS GOJ PROBLEM. WE RECOGNIZE, OF COURSE, US NEED FOR FULL REIMBURSEMENT OF COSTS AND HOPE THAT SOME SOLUTION ALONG LINES SUGGESTED IN PARA 3 OF REF A: I.E., SYSTEM OF LIMITED OFFICIAL USE

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FREQUENT NOTIFICATIONS OF COSTS UNDER WHICH US WOULD NOT PROVIDE SERVICES IN EXCESS OF THOSE WHICH GOJ HAS AGREED TO PAY. WE UNDERSTAND THIS IS ONE ELEMENT OF GOJ PROPOSAL. IN ANY CASE, IMMEDIATE NEED IS FOR USG RESPONSE TO JAPANESE PROPOSAL, SO THAT GOJ CAN EITHER DECIDE IT CAN LIVE WITH EXISTING LANGUAGE OR SEEK OTHER SOLUTION.

4. INSERTION INTO GEOSTATIONARY ORBIT - ISSUE IS STRONG JAPANESE

DESIRE THAT SATELLITES BE INSERTED INTO GEOSTATIONARY ORBIT BY NASA, WHICH HAS INFORMED NASDA THAT THIS TASK IS NOT INCLUDED IN LAUNCHING SERVICES AND RECOMMENDED REOURSE TO US COMMERCIAL FIRMS WHICH HAVE PROVIDED SIMILAR SERVICES FOR OTHER FOREIGN OR COMMERCIAL SATELLITES. AS CONSEQUENCE OF THIS POSITION AND SUGGESTION, NASDA SOLICITED PROPOSALS FROM FIVE US FIRMS (HUGES, PHILCO-FORD, GENERAL ELECTRIC, SYSTEMS DEVELOPMENT CORP, AND COMSAT GENERAL) FOR PROVISION F NECESSARY SOFTWARE, AND PERFORMANCE OF TASK OF INSERTION INTO GEOSTATIONARY ORBIT. PRELIMINARY ANALYSIS OF FOUR BIDS RECEIVED AUGUST 30 (COMSAT GENERAL DECLINED TO BID) INDICATES COSTS ARE OF ORDER OF 12 TO 15,000,000 DOLLARS PER SATELLITE. MOREOVER, THIS FIGURE DOES NOT INCLUDE HARDWARE, WHICH JAPANESE WILL FURNISH, NOR PERSONNEL. WHILE EMBASSY HAS LITTLE BASIS FOR EVALUATION OF REASONABLENESS OF THESE BIDS IN RELATION TO COSTS OF SERVICES REQUESTED, FIGURE IS OBVIOUSLY HIGH ENOUGH TO CONSTITUTE SERIOUS BLOW TO JAPANESE SPACE PROGRAM SCHEDULE, AND, ON FACE OF IT, IS MYSTIFYINGLY HIGH WHEN COMPARED WITH EXPECTED COSTS OF 10,000,000 DOLLARS PER SATELLITE FOR LAUNCHING SERVICE ITSELF.

5. WHILE NASDA ACCEPTS FACT THAT NASA POSITION IS NOT TO PLACE SATELLITES INTO GEOSTATIONARY ORBIT, RESOLUTION OF THIS ISSUE IS NOT AIDED BY NASDA'S STONG BELIEF THAT NASA HAD EARLIER INDICATED WILLINGNESS TO DO SO. DESPITE NASA BELIEF, WHICH WE FULLY RESPECT, THAT IT HAD MADE ITS POSITION CLEAR, THERE IS CONVINCING DOCUMENTARY EVIDENCE THAT JAPANESE, AT MINIMUM, HAD REASONABLE BASIS FOR MISUNDERSTANDING AND ASSUMING NASA WOULD PROVIDE GEOSTATIONARY ORBIT INSERTION TASK. THIS EVIDENCE INCLUDES ARTICLE I, PARA A.6. OF NASA DRAFT MOU OF FEBRUARY 13, 1974, REPLY TO QUESTION 13, IN NASA LETTER OF JUNE 15, 1972, WHICH EXPLICITLY STATES " NASA WOULD BE PREPARED TO PLACE THE SATELLITE IN EITHER A TRANSFER ORBIT OR A GEOSTATIONARY ORBIT."

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AS RESULT THESE STATEMENTS, WHETHER MISUNDERSTANDINGS OR NOT, JAPANESE NOW FIND THEMSELVES IN POSITION OF SEEKING COMMERCIAL SERVICES FOR TASK ON VERY SHORT NOTICE AND WITHOUT HAVING OPPORTUNITY TO MAKE ADEQUATE FINANCIAL PROVISIONS THEREFOR. AS RESULT OF ABOVE FACTORS, INCLUDING UNEXPECTEDLY HIGH BIDS FOR COMMERCIAL SERVICES, GOJ HAS RECENTLY REQUESTED RECONSIDERATION OF NASA POSITION ON PERFORMING GEOSTATIONARY ORBIT INSERTION TASK.

6. EMBASSY AWARE OF NASA'S DIFFICULT BUDGETARY SITUATION AND HAS CONSISTENTLY ADVISED JAPANESE OF FIRMNESS OF NASA POSITION. NEVERTHELESS, WE BELIEVE THIS ISSUE, ESPECIALLY IN LIGHT OF BACKGROUND CITED IN PARA 5, RAISES IMPORTANT POLICY QUESTION REGARDING INTERNAL CONSISTENCY OF US POLICY ON THE PROVISION OF LAUNCHING SERVICES. ISSUE, AS WE SEE IT, IS THAT ACCEPTANCE OF

US LAUNCHING SERVICES, AND MINIMIZATION OF DEVELOPMENT OF INDEPENDENT, COMPETITIVE LAUNCHING CAPABILITIES, IS DIRECTLY DEPENDENT ON DEGREE TO WHICH US APPEARS READY TO PROVIDE SERVICE ON REASONABLE, DEPENDABLE BASIS. WE RECOGNIZE THAT DEALING WITH JAPANESE IN THIS AREA (AS IN OTHERS) HAS BEEN FRUSTRATING EXPERIENCE FOR NASA, WITH JAPANESE OFTEN APPARENTLY UNPREPARED TO EXPLAIN THEIR REQUIREMENTS AND PROBLEMS AND POORLY ORGANIZED TO UNDERTAKE THE AMBITIOUS SPACE PROGRAMS WHICH THEY HAVE PLANNED. DESPITE THESE DIFFICULTIES, WE BELIEVE THAT HIGHLY DESIRABLE

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OBJECTIVE OF CREATING MARKET FOR AND RELIANCE ON US LAUNCHING SERVICES JUSTIFIES SPECIAL EFFORT TO ASSIST INEXPERIENCED USERS SUCH AS JAPANESE OVER INITIAL PROBLEMS SUCH AS THEY ARE NOW EXPERIENCING ON THIS ISSUE.

7. GOJ IS SO FIRMLY COMMITTED TO PRESENT SPACE PROGRAM THAT IT WILL UNDOUBTEDLY GO FORWARD EVEN IF US REFUSES TO PLACE SATELITES IN GEOSTATIONARY ORBIT. EFFECT OF REFUSAL, HOWEVER, MAY VERY WELL BE DEFERRAL OF ONE OR MORE LAUNCHINGS TO SPREAD UNEXPECTED COSTS OVER A LONGER PERIOD, WITH CONSEQUENT VISIBLE SET-BACK WHICH CRITICS WOULD ATTRIBUTE TO UNDESIRABLE RELIANCE ON US SERVICES. EMBASSY HOPES, THEREFORE, THAT USG WILL RECONSIDER POSITION AND AGREE TO PLACE THESE JAPANESE SATELITES INTO GEOSTATIONARY ORBIT, WITH CLEAR UNDERSTANDING THAT IS CONCESSION NOT APPLICABLE TO FUTURE LAUNCHINGS. AS MUCH LESS DESIRABLE ALTERNATIVE, EMBASSY BELIEVES WE SHOULD,

AT MINIMUM, AGREE TO ASSIST JAPANESE IN DEFINITION OF REQUIREMENTS
AND ANALYSIS OF BIDS, AS TO ENSURE THAT THEY CONTRACT
ONLY FOR ESSENTIAL COMMERCIAL SERVICES IN INSERTION TASK.

8. AS IN CASE OF PROBLEM ON FINANCIAL PROVISIONS, IMMEDIATE NEED
IS TO PROVIDE RESPONSE TO JAPANESE REQUEST SO THAT THEY MAY
CONSIDER OPTIONS OPEN TO THEM. WE BELIEVE ISSUES ARE CAPABLE OF
RESOLUTION IN TIME TO PERMIT SIGNATURE OF MOU DURING DR. FLETCHER'S
VISIT.

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9. CASTOR II ROCKET TECHNOLOGY - ISSUE IS US DECISION TO DEFER
ACTION ON JAPANESE REQUESTS FOR TRANSFER OF CASTOR II STRAP-ON
BOOSTER TECHNOLOGY, ON BASIS THAT THIS REQUEST RELATES TO
JAPAN'S IMPROVED N-ROCKET PROGRAM, AND THUS COMES UNDER "HARDWARE
ONLY" GROUND RULE. AS MADE CLEAR IN REF D, REQUEST DEFINITELY
RELATES TO CURRENT N-ROCKET PROGRAM, AND, THEREFORE, IN EMBASSY
VIEW AS WELL AS JAPANESE VIEW, SHOULD BE CONSIDERED UNDER
PROVISIONS OF 1969 SPACE AGREEMENT.

10. EMBASSY UNDERSTANDS THAT DEPT UNLIKELY TO TAKE ACTION ON
CASTOR II TECHNOLOGY REQUEST UNTIL RECEIVING FURTHER WORD FROM
JAPANESE OR US APPLICANT THAT US DECISION REPORTED REF C IS
UNACCEPTABLE. JAPANESE HAVE CONFIRMED TO SCICOUNS ON SEVERAL
OCCASIONS THEIR DISAGREEMENT WITH THIS DECISION AND STRONG

DESIRE THAT IT BE REVERSED. WHILE IT PERHAPS CAN BE ARGUED THAT
JAPANESE OWE US RESPONSE BEFORE US DECISIONS CAN BE RECONSIDERED,
WE HAVE CONSIDERABLE DIFFICULTY WITH PROPOSITION THAT JAPAN MUST
IN EFFECT ENGAGE IN DEBATE IN ORDER TO SECURE BENEFITS TO WHICH
IT ENTITLED UNDER AN EXISTING AGREEMENT. SUCH APPROACH IS OF
DUBIOUS VALIDITY AT BEST AND, IT EXTENDED TO OTHER AGREEMENTS
AND CASES COULD SERIOUSLY AFFECT WHOLE FRIENDLY TENOR OF OUR
RELATIONSHIP. JAPANESE DESIRE TO RECEIVE THIS TECHNOLOGY IS
CLEAR FROM THE EXISTING RECORD, INCLUDING THIROPOL'S FORMAL
APPLICATION FOR EXPORT LICENSE APPROVAL, AND HAS BEEN EXPLICITLY
RECONFIRMED TO SCICOUNS. AS DEPT IS AWARE, GOJ IS
EXCEDEDINGLY RELUCTANT TO MAKE FORMAL REQUESTS WHICH MAY BE
REJECTED, ESPECIALLY WHEN US HAS ALREADY TAKEN CONTRARY POSITION.
THUS, IT IS UNCERTAIN WHETHER OR NOT REQUEST FOR RECONSIDERATION
WILL BE MADE PRIOR TO DR. FLETCHER'S VISIT, ALTHOUGH STA AND
NASDA HAVE BEEN INFORMED THAT THIS IS PROPER PROCEDURE TO FOLLOW
IF THEY DISAGREE WITH USG CONCLUSION.

11. GOJ CLEARLY ATTACHES IMPORTANCE TO US DECISION ON
THIS REQUEST, AND EMBASSY HOPES THAT USG WILL RECONSIDER DECISION
PROMPTLY, REGARDLESS OF WHETHER FORMAL REQUEST TO DO SO RECEIVED,
SO AS TO ENABLE US VIEW TO BE GIVEN DURING DR. FLETCHER'S VISIT.
IN EMBASSY REVIEW, REQUEST FOR TRANSFER OF THIS TECHNOLOGY

SHOULD, IN KEEPING WITH TERMS OF 1969 AGREEMENT, BE APPROVED IN
ABSENCE OF EXCEPTIONAL CIRCUMSTANCES HAVE CHANGED SO MUCH AS TO
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MAKE THIS CLEARLY INAPPROPRIATE, (WHICH WE DOUBT IS CASE), PROPER
COURSE OF ACTION IN EMBASSY VIEW IS TO SEEK RECONSIDERATION OF MATTER
WITH GOJ ON MERITS OF CASE, RATHER THAN SEEK TO AVOID
ISSUE BY TREATING JAPANESE REQUEST AS FALLING UNDER NEW GROUND
RULES.

12. UDMH ROCKET FUEL - EMBASSY APPRECIATES ADVICE (REF E)
THAT INTERIM ALLOCATION OF UDMH HAS BEEN MADE TO JAPANESE SPACE
PROGRAM, AND IS CERTAIN THAT GOJ WILL APPRECIATE THIS FORTHCOMING
ACTION ON PART OF US. NEVERTHELESS, EVEN THOUGH
CIRCUMSTANCES LEADING TO SUSPENSION OF UDMH PRODUCTION WERE
BEYOND CONTROL OF USG, WE SHOULD BE AWARE THAT THE POTENTIAL
SHORTAGE OF THIS MATERIAL WILL BE SEIZED ON AS ONE MORE ARGUMENT
BY ADVOCATES OF INDEPENDENT JAPANESE SPACE CAPABILITIES.
EMBASSY HOPES, THEREFORE, THAT FUTURE USG ALLOCATION ACTIONS FOR
FOR THIS MATERIAL WILL BE AS FORTHCOMING AS POSSIBLE.

13. JAPANESE PARTICIPATION IN POST-APOLLO PROGRAM - GOJ
PERFORMANCE IN FORMULATING A CONCISE AND MEANINGFUL PROGRAM IN THIS A
REAS HAS BEEN POOR. JAPANESE ARE AWARE OF IMPORTANCE
ATTACHED TO THIS MBY NASA AND WE HOPE THAT DR. FLETCHER VISIT
WILL STIMULATE SOME PROGRESS. IN EMBASSY VIEW, POTENTIALLY
FRUITFUL AREA MIGHT BE JAPANESE DEVELOPMENT OF SPACE SHUTTLE
MODULE, ON MORE ACCELERATED BASIS THAN THAT CALLED FOR BY TWO-
PHASE PROGRAM OUTLINED IN REFF.

14. COOPERATION IN BROADCAST SATELLITE GROUND TERMINALS-
IT IS GENERALLY CONCEDED THAT JAPAN HAS PROGRESSED FURTHER THAN
US IN DEVELOPMENT OF LOW COST COMMUNITY GROUND RECEIVERS FOR
SATELLITE BROADCASTING. A JOINT PROPOSAL FOR COOPERATION IN THE
DEVELOPMENT AND TESTING OF THIS EQUIPMENT IS UNDER PREPARATION BY
NASA AND NHK (JAPAN BROADCASTING CORPORATION) STAFF. DR FLETCHER'S
VISIT COULD PROVIDE USEFUL OPPORTUNITY FOR CONFIRMATION OF MUTUAL
INTEREST IN THIS COOPERATION, AND EMPHASIS BY US THAT COOPERATION
SHOULD INVOLVE NOT MERELY TESTING, BUT TRANSFER OF TECHNOLOGY.

15. JAPANESE N-ROCKET IMPROVEMENT PROGRAM- JAPANESE DETERMINATION
TO UPGRADE N-ROCKET AND TO SEEK US ASSISTANCE IN THIS EFFORT

CONSTITUTES PERHAPS MOST DIFFICULT ASPECT OF US-JAPAN COOPERATIVE
SPACE RELATIONSHIPS. AS MADE CLEAR IN PREVIOUS MESSAGES, EMBASSY
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DOES NOT DISAGREE WITH US APPROACH OF CAREFULLY MEASURED COOPERATION WHICH WILL ENSURE CONTINUATION OF US SPACE LEAD, BUT BELIEVES APPLICATION OF THIS PRINCIPLE SHOULD TAKE INTO ACCOUNT ALL FACTORS INCLUDING AVAILABILITY OF TECHNOLOGY FROM OTHER SOURCES, SUCH AS FRANCE. SINCE GOJ HAS FAILED TO PROVIDE DETAILED SPECIFICATIONS OF DESIRED ASSISTANCE WHICH THEY PROMISED DURING APRIL DISCUSSIONS IN WASHINGTON, BALL REMAINS IN THEIR COURT, AND WE ASSUME ISSUE WILL BE RAISED ONLY IN GENERAL TERMS DURING DR. FLETCHER'S VISIT. EMBASSY BELIEVES US POSTURE CAN, THEREFORE, AS IN WASHINGTON SESSIONS, BE ESSENTIALLY ONE OF WILLINGNESS TO RECEIVE AND CONSIDER JAPANESE REQUEST.
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